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5 September 1951

OGC Has Reviewed

MEMORANDUM FOR: ADPC  
ADSO

SUBJECT : OPC/OSO Housing, [redacted]

1. This memorandum concerns the need to provide cost of living relief for OPC/OSO employees who are being assigned to the recently-activated field station [redacted]. It seems apparent that within existing normal government regulations, these employees will be unduly penalized if they are forced to meet all of the expenses of living at this post out of their salaries, until such time as permanent quarters are available.

2. Housing conditions in [redacted] are exceedingly tight and prices are extremely high. These employees are not, furthermore, eligible for service quarters, as are Army and Navy employees sent to [redacted] and their status as civilians gives them no access to government accommodations. Since it has been established that permanent quarters are not readily available to OPC personnel being transferred PCS [redacted] and temporary quarters are not obtainable at a reasonable rate, an unwarranted financial hardship to employees is thereby imposed.

3. Because of the facts as stated above, and in accordance with paragraph 6.2 of Confidential Funds Regulations, authorization for a special living allowance of \$10.00 a day for a period not to exceed 60 days (or until permanent quarters are occupied) is requested for employees transferred on PCS [redacted]. This special living allowance is in lieu of the employees normal [redacted] cost of living differential and will not be accounted for.

/s/ [redacted]

Acting Chief FS

APPROVED /s/ [redacted] ADPC  
/s/ [redacted] for ADSO

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MEMORANDUM

TO : General Counsel  
THRU : Comptroller  
FROM : Finance Division

1 July 1952

SUBJECT: Temporary Lodging Allowances, [REDACTED]

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1. In a recent discussion held between representatives of the Personnel and Finance Divisions and General Counsel the matter pertaining to the payment of a special allowance in [REDACTED] appeared to be questionable.

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2. Attached hereto is a copy of an approval, under 6.2 of the Confidential Funds Regulation, granting a temporary lodging allowance in lieu of the [REDACTED]. It is the understanding of this office that the maximum additional compensation in the form of a differential which can presently be paid in a [REDACTED] is limited to 25% of an employee's base salary. Since the rate of the special allowance exceeds 25% of most salaries, this office desires an opinion as to whether payment of the temporary lodging based upon the attached approval is proper.

3. In the event that the attached approval is found to be improper, this office requests an opinion as to the necessity for making adjustments of payments heretofore accomplished.

[REDACTED]  
Chief, Finance Division

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MEMORANDUM

TO : Chief, Finance Division

19 August 1952

THROUGH: Comptroller

FROM : Assistant General Counsel

SUBJECT: Temporary Lodging Allowance - [ ]

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1. Reference is made to your memorandum of 1 July 1952 on the above subject.

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2. The payment to civilian employees in [ ] of (1) a quarters allowance, (2) a post differential, or (3) a cost of living allowance in excess of that prescribed by the Civil Service Commission under Section 205 of Executive Order 10,000, does not appear to be justified.

3. So far as has been brought to our attention, civilian employees in other federal agencies [ ] do not receive such payment. The closest approach is in the case of some civilian employees of the Armed Forces who may reportedly rent, at a low rate, Government quarters not currently in use by military personnel.

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4. [ ] the granting of quarters allowances in accordance with Section 901(1) of the Foreign Service Act. The regulations implementing this Section prescribe quarters allowances for the various foreign posts [ ]

5. [ ] is payable as prescribed by the Civil Service Commission pursuant to Sections 203 and 204 of Executive Order 10,000. None is in force [ ]

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6. [ ] cost-of-living allowances are prescribed by the Civil Service Commission. The Senate of the United States on 3 July 1952 passed a bill (S.2008) raising the maximum additional compensation which may be paid for higher costs in the [ ] from the 25% of basic compensation provided in Section 207 of the Independent Offices Appropriation Act of 1949. However, this bill was not passed by the House. No increase in the allowance [ ] would have resulted at any rate. The Senate Committee on Post Office and Civil Service stated in its report (Number 1800) on this bill as follows:

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"However, the committee wishes to point out that increases in excess of the present 25 percent limitation should only be authorized where the Bureau of Labor Statistics has certified, after careful and complete analysis, that a higher authorization is justified. The committee is of the opinion at the present time that such authorization is necessary only in certain areas [redacted]. It also recommends that the Civil Service Commission report at least semiannually to the appropriate committees of the Congress full details and reasons for any authorization in excess of 25 percent."

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In the case of [redacted], the Civil Service Commission has not made use of the 25 percent legal maximum but rather has set the cost-of-living allowance at 20 percent of basic compensation.

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7. Therefore, payments in excess of the [redacted] cost-of-living allowance prescribed by the Civil Service Commission are improper.

8. Since Agency employees in [redacted] who have been receiving the \$10.00 a day allowance entered on duty there relying on this allowance and have planned their living expenses accordingly, a considerable hardship would result in requiring them to make a refund when it is now later determined that such payments should not be made. It is only when Section 6.2 of the CFR's is considered in conjunction with applicable laws and Governmental policies that it is seen not to authorize such payments. However, the approval of the Director would be necessary to authorize these payments.

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/s/

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